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**KENILWORTH, NEW JERSEY 07033**  
**(908) 298-4000**

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<b>37</b>	<b>December 23, 2004</b>

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**Application No. 09/904,263**  
**Examiner: Holleran, Anne L**  
**In Re Application of Mary Ellen Rybak *et al***  
**Filed: 07/12/2001**  
**Group Art Unit: 1642**  
**For: Melanoma Therapy**  
**Attorney Docket No.: OC01000KQ**

Dear Sir/Madam:

Transmitted herewith are:

- Response Transmittal - 1 page
- Amendment Response - 12 pages
- Declaration under 37 CFR 1.132 of David Cutler, MD - 5 pages
- Curriculum Vita of David Cutler - 15 pages
- Petition for Extension of Time (3 months) - 1 page IN DUPLICATE
- Certificate of Fax Transmission - 1 page
- Fax Cover Page - 1 page

MICHAEL G. BIRO  
 Patent Attorney, Reg. No. 46,556

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PHONE: (908) 298-5098

FAX: (908) 298-5388

Attorney Docket No.: OC01000KQ

Application No.: 09/904,263

Filing Date: 07/12/2001

First Named Inventor: Mary Ellen Rybak et al.

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PTO/FSA/97 (08-09)

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Document(s) being transmitted:

Transmittal form (sb/21)- 1 page

Petition for Extension of Time under 37 CFR 1.136(a) (3 Months) - 1 page IN DUPLICATE

Amendment and Response - 12 pages

Declaration Under 37 CFR 1.132 of David Cutler, M.D. - 5 pages

Curriculum Vitae of David Cutler - 15 pages

Certificate of Fax Transmission - 1 page

Fax Cover Sheet - 1 page

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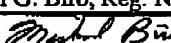
37

Application Number	09/904,263
Filing Date	07/12/2001
First Named Inventor	Mary Ellen Rybak et al.
Art Unit	1642
Examiner Name	Holleran, Anne L.
Attorney Docket Number	OC01000KQ

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration of David Cutler-5 pgs. Certificate of fax transmission-1 pg; Fax Cover Sheet-1 pg; Curriculum Vitae-15 pgs
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael G. Biro, Reg. No. 46,556
Signature	
Date	December 23, 2004

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PATENT  
Case: OC01000KQ US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

RYBAK ET AL.

For:

MELANOMA THERAPY

Application No.: 09/904,263

Filed: July 12, 2001

Examiner: A. HOLLERAN

Group Art Unit: 1642

Confirmation No.: 3021

Schering-Plough Corporation  
Kenilworth, New Jersey 07033-0530  
December 23, 2004

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE**

Sir:

In response to the June 29, 2004 Office Action in the above-identified application, Applicants request consideration of the following Amendment and Response. Applicants have filed concurrently herewith a petition for a three-month extension of time, and have paid the required fee. With a three-month extension of time, a reply is due December 29, 2004. Thus, this Amendment and Response is timely filed.

Remarks begin on page 8 of this paper.